

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**STATUS CONFERENCE**

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**In re EpiPen ERISA Litigation**

**COURT MINUTES – CIVIL**

**BEFORE: Hildy Bowbeer**

**U.S. Magistrate Judge**

Case No.: 17-cv-1884 (PAM/HB)

Date: July 24, 2019

Court Reporter: Carla Bebault

Courthouse: Saint Paul

Courtroom: 7D

Time: 1:05-3:11 p.m.

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**APPEARANCES:**

For Plaintiffs: Gretchen Obrist, Cari Laufenberg, Justin Saif, David Asp, Arielle Wagner

For Defendant Prime Therapies, LLC: Jaime Stilson,

For Express Scripts Defendants: Jonathan Cooper, Donald Heeman, Jessica Nelson,

For CVS Defendants: Daniel Dockery, Isaac Hall

For Optum Defendants: Elizabeth Brown, Kimberly Chemerinsky, Kadee Jo Anderson

**PROCEEDINGS:**

The Court and counsel discussed a number of matters identified in the parties' joint agenda [Doc. No. 449] and respective letters to the Court [Doc. Nos. 452, 453].

The Court directed the parties to continue to meet and confer to resolve identified issues. Among other matters discussed, the Court provided additional guidance and direction on the following:

1. The parties shall meet and confer regarding an extension of the deadline for Plaintiffs to file a class certification motion. The meet and confer process should include a discussion of interim deadlines for the completion of discovery tasks necessary to the class certification process. They must file a joint letter reporting on their discussions on or before August 7, 2019.
2. The parties shall meet and confer regarding options for reducing inefficiencies in the process between Plaintiffs and Defendants when preparing and approving joint submissions to the Court. Options to be considered might include appointing a single

liaison for Defendants' counsel that would be responsible for interfacing with the other Defendants' counsel in preparing and approving joint submissions.

3. Concerning the dispute between the parties regarding whether Plaintiffs must include on their privilege log all internal communications among Plaintiffs' counsel prior to the filing of the first complaint in this case, the Court agreed the parties appeared to be at an impasse. The Court identified several considerations and issues it would expect to be addressed in the parties' briefing if Defendants decide to bring the issue to the Court for resolution.
4. The next case management conference is scheduled for August 29, 2019, at 1:00 p.m. *See* (Second Order Setting Case Management Conferences [Doc. No. 390 at 1].) The Court will confirm the courtroom to be used for the case management conference closer to its scheduled date.

*s/Brian Bender*  
Judicial Law Clerk